

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Feb 15, 2022

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DOCTOR DANIELLE LLC, a
Washington limited liability company,
Plaintiff,
v.
TERRA ORIGIN, INC., a New York
corporation; and PAILLA M. REDDY, a
New York resident,
Defendants.

No. 2:21-CV-00215-SAB

**ORDER DISMISSING CASE;
ENTERING PERMANENT
INJUNCTION; AND CLOSING
FILE**

Before the Court is the parties' Stipulated Permanent Injunction and Dismissal with Prejudice, ECF No. 16. The parties stipulate and request that the Court dismiss this matter with prejudice and without awarding either party attorney's fees or costs. The parties also request that the Court enter the permanent injunction that is contained in their stipulation. *Id.*

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) and the joint wishes of the parties, the Court finds good cause to grant the motion and dismiss this case. The Court also finds good cause to enter the parties' Stipulated Permanent Injunction into the record.

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**ORDER DISMISSING CASE; ENTERING PERMANENT INJUNCTION;
AND CLOSING FILE # 1**

1 Accordingly, **IT IS HEREBY ORDERED:**

2 1. The parties' Stipulated Permanent Injunction and Dismissal with
3 Prejudice, ECF No. 16, is **GRANTED**.

4 2. The November 3, 2022 pretrial conference and November 14, 2022
5 jury trial are **STRICKEN**. Any pending motions are **DISMISSED** as moot.

6 3. All claims and counterclaims asserted in this action are **DISMISSED**
7 **with prejudice** and without attorney's fees or costs to any party.

8 4. Defendants (including their owners, agents, officers, directors,
9 employees, representatives, attorneys, affiliates, successors, and assigns, and all
10 persons who are in active concert or participation with Defendants with regards to
11 the conduct prohibited by this paragraph and who have received actual notice of
12 this Stipulated Injunction) are permanently enjoined from, directly or indirectly,
13 using or infringing Doctor Danielle's GUT ASSIST trademark and confusingly
14 similar variants thereof (specifically including, but not limited to "GUTS ASSIST"
15 and "GUT ASSISTANCE") in advertising, marketing, offering for sale, or selling
16 dietary and nutritional supplements (the "Enjoined Activity"). Prohibited use of the
17 mark or confusingly similar variants for purposes of this Order shall be interpreted
18 as that which is likely to confuse the relevant consumer, as determined by current
19 governing law concerning the likelihood of confusion test for trademark
20 infringement. This provision does not otherwise prohibit use of the terms "gut" or
21 "assist" or their variants in connection with dietary and nutritional supplements.

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**ORDER DISMISSING CASE; ENTERING PERMANENT INJUNCTION;
AND CLOSING FILE # 2**

DATED this 15th day of February 2022.



**ORDER DISMISSING CASE; ENTERING PERMANENT INJUNCTION;
AND CLOSING FILE # 3**